

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

**FILED**

*E-filing*

JAN 29 2014

**THE UNITED STATES OF AMERICA**

**VS.**

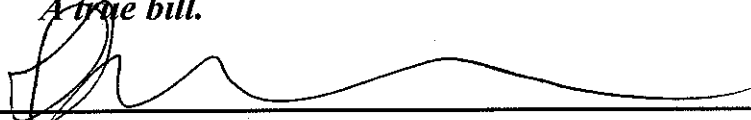
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**JUSTIN EVERETT CRUTCHFIELD, and  
DEMONTAE TERELL TOLIVER,**

**INDICTMENT**

**\*SEE ATTACHMENT**

*A true bill.*



*Foreperson*

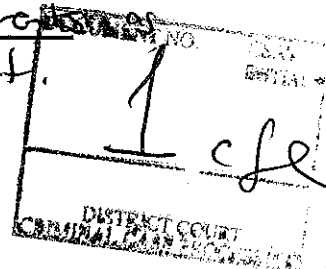
*Filed in open court this 29th day of January*

*A.D. 2014*

*Pres. signed*

**UNITED STATES MAGISTRATE JUDGE**

*Bail. \$ No bail arrest warrants  
to each defendant.*



**ATTACHMENT TO INDICTMENT COVER SHEET**

**U.S.**

**v.**

**JUSTIN EVERETT CRUTCHFIELD, and  
DEMONTAE TERELL TOLIVER,**

**COUNTS ONE & TWO:** Title 18, United States Code, Section 1591(a)(1) and (2) - Sex trafficking of children by force, fraud, or coercion (Class A Felony)

**COUNTS THREE & FOUR:** Title 18, United States Code, Section 2251(a) and (e) -- Sexual Exploitation of Children (Class B Felony)

SEALED BY ORDER  
OF THE COURT

E-filing

MELINDA HAAG (CABN 132612)  
United States Attorney

**FILED**

JAN 29 2014

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUSTIN EVERETT CRUTCHFIELD,  
DEMONTAE TERELL TOLIVER,

Defendants.

**CR14 00051**  
**DLJ**  
**PSG**  
VIOLATIONS: 18 U.S.C. §§ 1591(a) and 1594(a)  
Sex Trafficking of Children; 18 U.S.C. §§ 2251(a)  
and (e) – Sexual Exploitation of Children

INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. Defendant JUSTIN EVERETT CRUTCHFIELD was a resident of San Jose, California, and was born in 1986.
2. Defendant DEMONTAE TERELL TOLIVER was a resident of San Jose, California, and was born in 1990.
3. The minor female "E.O." was a resident of Los Gatos, California, and born in 1996.

1 4. The minor female, "L.G.," was a resident of Los Gatos, California, and born in 1998.

2  
3 COUNT ONE: (18 U.S.C. §§ 1591(a)(1) and (2), 1594(a) – Sex Trafficking of Children)

4 Between on or about June 16, 2013, and on or about June 22, 2013, within the Northern District  
5 of California, defendants JUSTIN EVERETT CRUTCHFIELD and DEMONTAE TEREEL TOLIVER,  
6 in and affecting interstate commerce, knowingly did recruit, entice, harbor, transport, provide, and  
7 obtain by any means a minor female, that is "E.O.," knowing that force, fraud, or coercion would be  
8 used to cause "E.O." to engage in commercial sex acts, knowing that "E.O." had not attained the age of  
9 18 years and would be caused to engage in commercial sex acts, and did benefit financially and by  
10 receiving anything of value from participation in a venture engaged in such acts, in violation of Title 18,  
11 United States Code, Sections 1591(a)(1) and (2) and 1594(a);

12  
13  
14 COUNT TWO: (18 U.S.C. §§ 1591(a)(1) and (2), 1594(a) – Sex Trafficking of Children)

15 Between on or about June 16, 2013, and on or about June 22, 2013, within the Northern District  
16 of California, defendants JUSTIN EVERETT CRUTCHFIELD and DEMONTAE TEREEL TOLIVER,  
17 in and affecting interstate commerce, knowingly did recruit, entice, harbor, transport, provide, and  
18 obtain by any means a minor female, that is "L.G.," knowing that force, fraud, or coercion would be  
19 used to cause "L.G." to engage in commercial sex acts, and knowing that "L.G." had not attained the age  
20 of 18 years and would be caused to engage in commercial sex acts, and did benefit financially and by  
21 receiving anything of value from participation in a venture engaged in such acts, in violation of Title 18,  
22 United States Code, Sections 1591(a)(1) and (2) and 1594(a).

23  
24  
25 COUNT THREE: (18 U.S.C. §§ 2251 (a) and (e) – Sexual Exploitation of Children)

26 On or about June 18, 2013, within the Northern District of California, defendants JUSTIN  
27 EVERETT CRUTCHFIELD and DEMONTAE TEREEL TOLIVER, did employ, use, persuade, induce,  
28 entice, or coerce "E.O.," a minor, to engage in sexually explicit conduct, or conspired to do so, for the

purpose of producing a visual depiction of such conduct, using materials that had been previously mailed, shipped, or transported in or affecting interstate commerce, in violation of Title 18, United States Code Section 2251 (a) and (e).

COUNT FOUR: (18 U.S.C. §§ 2251 (a) and (e) – Sexual Exploitation of Children)

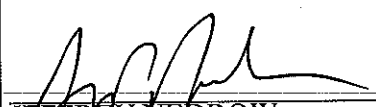
On or about June 18, 2013, within the Northern District of California, defendants JUSTIN EVERETT CRUTCHFIELD and DEMONTAE TEREELL TOLIVER, did employ, use, persuade, induce, entice, or coerce “L.G.,” a minor, to engage in sexually explicit conduct, or conspired to do so, for the purpose of producing a visual depiction of such conduct, using materials that had been previously mailed, shipped, or transported in or affecting interstate commerce, in violation of Title 18, United States Code Section 2251 (a) and (e).

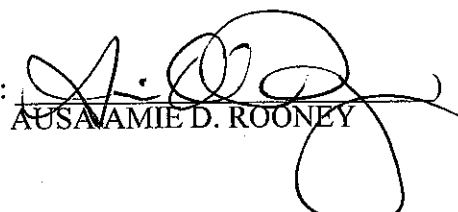
DATED: 1/29/14

A TRUE BILL

  
Foreperson

MELINDA HAAG  
United States Attorney

  
JEFFREY NEDROW  
Assistant United States Attorney  
Chief, San Jose Branch

(Approved as to form: )

AUSA M. D. ROONEY

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

**OFFENSE CHARGED**

\*SEE ATTACHMENT

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY:

\*SEE ATTACHMENT

**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

S/A Ann Trombetta-F.B.I

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW DOCKET NO.

MAGISTRATE CASE NO.

Name and Office of Person  
 Furnishing Information on  
 THIS FORM

MELINDA HAAG

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y  
 (if assigned)

AMIE D. ROONEY

Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

JUSTIN EVERETT CRUTCHFIELD

DISTRICT COURT NUMBER  
 RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

**CR14 00051 DLJ**

DEFENDANT

**IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges } ☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No } If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED TO U.S. CUSTODY

☐ This report amends AO 257 previously submitted

**ADDITIONAL INFORMATION OR COMMENTS**

**PROCESS:**

☐ SUMMONS ☐ NO PROCESS\* ☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

11

**ATTACHMENT TO PENALTY SHEET**  
**U.S.**  
**v.**  
**JUSTIN EVERETT CRUTCHFIELD, and**  
**DEMONTAE TERELL TOLIVER,**

**COUNTS ONE & TWO:** Title 18, United States Code, Section 1591(a)(1) and (2) - Sex trafficking of children by force, fraud, or coercion (Class A Felony)

Maximum Sentence: Life  
Mandatory Minimum: 15 years  
Maximum Fine: \$250,000  
Special Assessment: \$100  
Maximum Supervised Release: 5 years

**COUNTS THREE & FOUR:** Title 18, United States Code, Section 2251(a) and (e) -- Sexual Exploitation of Children (Class B Felony)

Maximum Sentence: 30 years  
Mandatory Minimum Sentence: 15 years  
Maximum Fine: \$250,000  
Special Assessment: \$100  
Maximum Supervised Release: 5 years

AO 257 (Rev. 6/78)

# **DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING

## **OFFENSE CHARGED**

\*SEE ATTACHMENT

- ☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony

PENALTY:

\*SEE ATTACHMENT

## **PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

S/A Ann Trombetta-F.B.I.

- ☐ person is awaiting trial in another Federal or State Court, give name of court

- ☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

- ☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. Att'y ☐ Defense

- ☐ this prosecution relates to a pending case involving this same defendant

- ☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW  
DOCKET NO.MAGISTRATE  
CASE NO.

Name and Office of Person  
 Furnishing Information on  
 THIS FORM

MELINDA HAAG

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y  
 (if assigned)

AMIE D. ROONEY

Name of District Court, and/or Judge/Magistrate Location  
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

JAN 29 2014

DEMONTAE TEREEL TOLIVER

RICHARD W. WIEKING  
 CLERK U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

CR 14 00051 DLJ

## **DEFENDANT**

### **IS NOT IN CUSTODY**

- 1) ☒ Has not been arrested, pending outcome this proceeding.  
 If not detained give date any prior summons was served on above charges

- 2) ☐ Is a Fugitive

- 3) ☐ Is on Bail or Release from (show District)

### **IS IN CUSTODY**

- 4) ☐ On this charge

- 5) ☐ On another conviction

- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer  
 been filed?

☐ Yes  
☐ No

If "Yes"  
 give date  
 filed

DATE OF  
 ARREST

Month/Day/Year

Or... If Arresting Agency &amp; Warrant were not

DATE TRANSFERRED  
 TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

## **ADDITIONAL INFORMATION OR COMMENTS**

### **PROCESS:**

☐ SUMMONS ☐ NO PROCESS\*

☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

Δ2



**ATTACHMENT TO PENALTY SHEET**

**U.S.**

**v.**

**JUSTIN EVERETT CRUTCHFIELD, and  
DEMONTAE TERELL TOLIVER,**

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Maximum Supervised Release: 5 years

**COUNTS THREE & FOUR:** Title 18, United States Code, Section 2251(a) and (e) -- Sexual Exploitation of Children (Class B Felony)

Maximum Sentence: 30 years  
Mandatory Minimum Sentence: 15 years  
Maximum Fine: \$250,000  
Special Assessment: \$100  
Maximum Supervised Release: 5 years

Δ2)